



CERTIFICATE OF MAILING

I hereby certify that on August 8, 2005, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Bruce M. Canter

PATENT

Applicant: Michael Robert Forman

Serial No.: 10/754,226

Filed: January 9, 2004

Title: MULTI-BALLOON DRUG
DELIVERY CATHETER FOR
ANGIOGENESIS

Examiner: JOHN K. FRISTOE, JR.

Group Art Unit: 3751

Atty Docket No.: CVG-5614CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER
A "PRIOR" PATENT**

Dear Sir:

The owner, Edwards Lifesciences Corporation, of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 6,685,672 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior

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patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:


expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

The Commissioner is hereby authorized to charge the amount of \$130.00 as payment of the terminal disclaimer fee under 37 C.F.R. §1.20(d) to Deposit Account No. 50-1225.

Respectfully submitted,


Debra Condino
Registration No. 31,007

Dated: August 5, 2005

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